

Senate Bill No. 388

Passed the Senate September 4, 2001

Secretary of the Senate

Passed the Assembly August 31, 2001

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of
_____, 2001, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act to add Section 17453.1 to the Education Code, relating to surplus property.

LEGISLATIVE COUNSEL'S DIGEST

SB 388, Alpert. School districts: sale or lease of surplus property.

Under existing law, the governing board of any school district is authorized to sell for cash any personal property belonging to the school district if, among other things, the property is not required for school purposes, and certain requirements are satisfied regarding that sale, including providing notice of the sale, calling for bids, and selling the property to the highest responsible bidder. These requirements are applicable to a school district leasing land, buildings, or equipment that is no longer needed.

This bill would authorize a school district, notwithstanding any other provision of law, to sell or lease Internet appliances, as defined, or personal computers to parents of pupils within the school district, for the purpose of providing access to the school district's educational computer network, at a standard price not to exceed the cost incurred by the school district in purchasing the Internet appliance or computer, and would not require a sale or lease pursuant to those provisions to be subject to a requirement to call for bids or to sell or lease those Internet appliances or computers to the highest bidder.

The bill would also require a school district that elects to sell or lease Internet appliances or computers, as authorized by the bill, to provide access to the school district's educational network for those families that cannot afford that access.

The people of the State of California do enact as follows:

SECTION 1. Section 17453.1 is added to the Education Code, to read:

17453.1. (a) Notwithstanding any other provision of law, a school district may sell or lease Internet appliances or personal computers to parents of pupils within the school district, for the purpose of providing access to the school district's educational



computer network, at a standard price, not to exceed the cost incurred by the school district in purchasing the Internet appliance or personal computer. A school district that elects to sell or lease Internet appliances or personal computers, as authorized by this section, shall provide access to the school district's educational network for those families that cannot afford access to the school district's educational network. Notwithstanding any other provision of law, in conducting a sale or lease pursuant to this section a school district shall not be required to call for bids or to sell or lease Internet appliances or personal computers to the highest bidder. For purposes of this section, an "Internet appliance" is a technological product that allows a person to connect to, or access, an online educational network.

(b) The Legislature finds and declares that the Internet appliances or personal computers that are sold or leased pursuant to this section are not an essential part of the school district's educational program, but are supplemental to that program.



Approved _____, 2001

Governor

